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Fiftieth session

REQUEST FOR THE INCLUSION OF A SUPPLEMENTARY ITEM IN THE AGENDA OF THE FIFTIETH SESSION

UNIVERSAL CONGRESS ON THE PANAMA CANAL

Letter dated 18 August 1995 from the representatives of France, Panama and the United States of America to the United Nations addressed to the Secretary-General

In conformity with rule 14 of the rules of procedure of the General Assembly, we have the honour to request the inclusion in the agenda of the fiftieth session of the General Assembly of a supplementary item entitled "Universal Congress on the Panama Canal".

An explanatory memorandum (see annex I) and a draft resolution (see annex II) in support of the above request are attached to this letter, in accordance with rule 20 of the rules of procedure of the General Assembly.

(Signed) Hervé LADSOUS
Chargé d'affaires a.i. of the
Permanent Mission of France
to the United Nations

(Signed) Jorge E. ILLUECA
Permanent Representative of
Panama to the United Nations

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Annex I

[Original: Spanish]

EXPLANATORY MEMORANDUM

1. The date of 7 September 1997 will mark the twentieth anniversary of the signing, at the headquarters of the Organization of American States, of the Panama Canal Treaty and the Treaty concerning the Permanent Neutrality and Operation of the Panama Canal, known as the "Torrijos-Carter Treaties". Those Treaties stipulate that, at noon on 31 December 1999, the Canal, including all improvements, is to come under the control of the Republic of Panama, which shall on that date assume total responsibility for the management, operation and maintenance of the interoceanic waterway.

2. The Washington Declaration, issued on 7 September 1977 by the Heads of State, Heads of Government and representatives of the American Republics and recognizing the importance for the hemisphere, for trade and for world shipping of agreements designed to ensure the accessibility and continued neutrality of the Panama Canal remains valid at this historic juncture. It is worth noting in this connection that 4 per cent of world trade passes through the interoceanic waterway annually and that in 1994, ships flying the flags of 78 countries used the Canal, making over 12,000 journeys in both directions.

3. A clear indication that the Canal will be managed efficiently in the twenty-first century is provided by the fact that Panamanians now account for around 90 per cent of Canal employees. It is also significant that the Governments of the two countries are working together on a smooth transition process aimed at ensuring the continued efficient operation of the Canal and the existence of structures and policies which will give users every assurance that the Canal will remain permanently accessible.

4. The Government of Panama has taken the step of convening a Universal Congress on the Panama Canal in September 1997 at Panama City, in the context of the commemoration of the twentieth anniversary of the signing of the Torrijos-Carter Treaties. The aim is to bring together representatives of Governments, international bodies, public and private academic institutions, maritime users and international shipping companies to examine jointly the role which the Panama Canal should play in the twenty-first century.

5. Briefly, it is hoped that the Congress will not only give users confidence in the ability to administer the Canal efficiently and cost-effectively in the twenty-first century but also make them feel involved in the administrative aspects and financial risks which the Administration is taking on in order to serve them and their countries. In this connection, a planning committee of highly qualified professionals has been formed as an efficient and effective mechanism for pooling and coordinating efforts directed towards achieving the aims and purposes of the Universal Congress.

6. The Société de Géographie de Paris was motivated by similar aims when, looking ahead to the twentieth century, it convened the Congrès International

d'études du Canal interocéanique, which was held from 15 to 29 May 1879 in Paris under the presidency of Count Ferdinand de Lesseps, builder of the Suez Canal. The Paris Congress culminated in the resolution that the Canal should be built along the route traced between the Gulf of Limón on the Atlantic Ocean and the Bay of Panama on the Pacific Ocean.

7. The idea of convening the Universal Congress on the Panama Canal reflects the spirit of a new global alliance for sustainable development, implicit in which is the need to formulate a balanced, integrated approach to environmental, trade and development issues.

8. Another priority objective of the Universal Congress on the Panama Canal is to promote international cooperation towards ensuring an orderly, sustainable development of the uses and resources of the Atlantic and Pacific Oceans and the rational exploitation and development of the Canal basin and coastal areas. Panama's coastline on both oceans is extremely long: 2,988.3 kilometres in all, of which 1,700.6 are on the Pacific Ocean and 1,287.7 are on the Caribbean Sea.

9. The aims of the Congress are in keeping with General Assembly resolutions 49/28 of 6 December 1994 on law of the sea, 49/99 of 19 December 1994 on international trade and development, and 49/131 of 19 December 1994 declaring 1998 International Year of the Ocean, and resolutions 2.5 of the General Conference of the United Nations Educational, Scientific and Cultural Organization and 1994/48 of the Economic and Social Council of 29 July 1994.

10. Given these aims, the Congress should make every attempt, when adopting national, subregional, regional and international measures, to tailor them to the guidelines on the protection of the oceans and coastal areas contained in chapter 17 of Agenda 21, adopted at the United Nations Conference on Environment and Development, held in Rio de Janeiro from 3 to 14 June 1992.

11. Of particular importance with respect to the operation of the Panama Canal are the measures required in the field of maritime transport to deal with the environmental degradation from pollution that can affect ports and areas of heavy maritime traffic, such as international straits and waterways, including the Panama Canal. The International Maritime Organization and the International Atomic Energy Agency play an important role in the adoption of such measures.

12. The Congress should also consider strategies for responding to the uncertainties surrounding climate change and the possible rise in sealevel. We share the conclusion of the Earth Summit that preventive measures will have to be taken to minimize the risks and effects of these phenomena, particularly as regards small islands, low-lying areas and coastal areas, and, we would add, interoceanic waterways.

13. The Government of Panama believes that the Panama Canal exists for the benefit of the international public and is a very important link in the chain of international trade and transport. It regards the Canal as significant not only for the Republic of Panama but also for the economies of many countries and for the trading and transport communities in general. In the years to come, the Canal will play a more important role in world trade than in the past. The globalization of the economy and the opening-up of markets will be reflected in

a marked increase in international trade, and the Canal needs to adapt its operations to this new situation.

14. The attached draft resolution (see annex II) is designed to support the organization of the Universal Congress on the Panama Canal and to contribute to the efficient operation of the interoceanic waterway within an open, multilateral trading system, under a dynamic Administration with the capacity to confront successfully the problems of development that arise in the twenty-first century.

15. In the light of the above considerations, we request the inclusion in the agenda of the fiftieth session of the General Assembly of a supplementary item entitled "Universal Congress on the Panama Canal".

Annex II

[Original: Spanish]

DRAFT RESOLUTION

Universal Congress on the Panama Canal

The General Assembly,

Having considered the item entitled "Universal Congress on the Panama Canal",

Recalling its resolutions 49/28 of 6 December 1994 on law of the sea, 49/99 of 19 December 1994 on international trade and development and 49/131 of 19 December 1994 declaring 1998 International Year of the Ocean, and resolutions 2.5 of the General Conference of United Nations Educational, Scientific and Cultural Organization and 1994/48 of the Economic and Social Council of 29 July 1994 on the International Year of the Ocean,

Bearing in mind that on 7 September 1977 Mr. Jimmy Carter, President of the United States of America, and General Omar Torrijos, Head of Government of the Republic of Panama, signed in Washington, D.C. the Treaty concerning the Permanent Neutrality and Operation of the Panama Canal and the Panama Canal Treaty, known as the "Torrijos-Carter Treaties", which stipulate that, at noon on 31 December 1999, the Canal, including all improvements, is to come under the control of the Republic of Panama, which shall assume total responsibility for its management, operation and maintenance,

Emphasizing the significance of the Washington Declaration, signed on 7 September 1977 by the Heads of State, Heads of Government and representatives of the American Republics, which recognizes "the importance for the hemisphere, for trade and for world shipping of agreements designed to ensure the accessibility and continued neutrality of the Panama Canal",

Welcoming the plans of the Government of Panama to hold a Universal Congress on the Panama Canal in September 1997, with the participation of Governments, international bodies, public and private academic institutions, maritime users and international shipping companies, to examine jointly the role which the Panama Canal should play in the twenty-first century,

Underlining the fact that the Congrès International d'études du Canal Interocéanique was convened by the Société de Géographie de Paris, met from 15 to 29 May 1879 in Paris, under the Presidency of Count Ferdinand de Lesseps, builder of the Suez Canal, and culminated in the resolution that the Canal should be built along the route traced between the Gulf of Limón on the Atlantic Ocean and the Bay of Panama on the Pacific Ocean,

Cognizant of the fact that, in keeping with the spirit of a new global alliance for sustainable development, it is necessary to formulate a balanced, integrated approach to environmental, trade and development issues,

Convinced, therefore, that the Universal Congress on the Panama Canal will promote international cooperation towards ensuring an orderly, sustainable development of the uses and resources of the Atlantic and Pacific Oceans and the rational exploitation and development of the Canal basin and coastal areas, bearing in mind that Panama's coastline on the two oceans stretches for 2,988.3 kilometres in all, of which 1,700.6 are on the Pacific Ocean and 1,287.7 are on the Caribbean Sea,

Noting with appreciation the progress of the Tripartite Commission, consisting of the Republic of Panama, the United States of America and Japan, in the plans for the construction in the Isthmus of Panama of a sealevel canal or the increase in the capacity of the present lock canal,

Reaffirming its resolution 31/142 of 17 December 1976, on the one hundred and fiftieth anniversary of the Amphictyonic Congress of Panama, in which it recalled that Simón Bolívar, the Liberator, referred on several occasions to the need for a possible opening of a canal in Panama, which "will shorten distances throughout the world, strengthen commercial ties" between the continents and promote the exchange of products "from the four corners of the globe",

Noting with satisfaction that, by its resolution 49/131 of 19 December 1994, the General Assembly proclaimed 1998 International Year of the Ocean, during which year the Lisbon World Exposition is to be held,

Emphasizing that the Universal Congress on the Panama Canal has among its priority aims the promotion of international cooperation with a view to achieving an orderly, sustainable development of the uses and resources of the Atlantic and Pacific Oceans,

1. Supports the initiative of the Government of Panama in convening the Universal Congress on the Panama Canal, with the participation of Governments, international bodies, public and private academic institutions, maritime users and international shipping companies, to examine jointly the role which the Panama Canal should play in the twenty-first century;

2. Requests Member States to assist generously in this undertaking;

3. Urges the competent organs, programmes and specialized agencies of the United Nations system, in particular, the United Nations Development Programme, the United Nations Environment Programme and the International Maritime Organization, to study the possibility of providing assistance for the organization of the Universal Congress on the Panama Canal from within existing resources;

4. Emphasizes the importance of the Universal Congress on the Panama Canal and expresses the hope that its results will contribute to the growth of world trade and to sustained economic growth and sustainable development throughout the world;

5. Requests the Secretary-General to submit to the General Assembly at its fifty-first session a report on the implementation of the present resolution;

6. Decides to include in the provisional agenda of its fifty-first session an item entitled "Universal Congress on the Panama Canal".